



Docket Clerk  
Marketing Order Administration Branch  
Fruit and Vegetable Programs  
AMS, USDA  
1400 Independence Avenue, SW  
STOP 0237  
Washington, DC 20250-0237

FAX (202) 720-8938  
E-MAIL [moab.docketclerk@usda.gov](mailto:moab.docketclerk@usda.gov)  
INTERNET <http://www.regulations.gov>

RE: Docket No. FV03-925-1PR  
Federal Register Vol.70, No. 100, Page 30001  
Grapes Grown in a Designated Area of Southeastern California and Imported Table Grapes; Proposed  
Change in Regulatory Period  
**COMMENTS IN OPPOSITION TO PROPOSED CHANGE**

Dear Docket Clerk:

Bengard Marketing opposes the above referenced change in the dates that Table Grape Marketing Order 925 restrictions will be place on table grapes supplied from Chile. Bengard marketing which has imported Chilean grapes for the past 20 years concurs with the detailed comments and supporting data submitted by ASOEX, the Chilean Exporters Association. Specifically, Bengard Marketing urges the agency to reject the proposed change in the regulatory period because:

1. The change in the beginning effective date of the marketing order from April 20 to April 1 will have a direct negative impact on our business.
2. The proposed rule does not contain sufficient evidence of circumvention by Chilean table grapes to warrant the proposed change. In fact, table grapes sourced by our company from Chile clear out of the market before the first significant commercial quantities of the same varieties begin to be packed out from Coachella and Mexico from mid-May to mid-June.
3. The change in date from April 20 to April 1 will create an artificial shortage of table grapes since no country other than Chile produces commercially significant and reliable supplies at this time.
4. The Chilean grapes supplied from April 1 to the earliest commercially significant supplies of grapes from Coachella Valley in California meet marketing specifications from retail chains that are more stringent in some respects that the marketing order requirements.
5. The 20 year-old survey of cold storage practices cited by the proposed rule has no relevance to the way the market works now.
6. The Coachella Valley growers received record prices for their early season grapes in the last two seasons which demonstrates that Chilean supplies have no real impact on Coachella.

Respectfully submitted,

  
Broc Bengard  
Bengard Marketing, Inc.